

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirm No.4418

KALLOO et al

Allowed: August 25, 2004

Serial No. 09/815,336

Fee Paid: November 18, 2004

Filed: March 23, 2001

Atty. Ref.: 2784-25

Group: 3739

Examiner: Shay, David

For: METHODS AND DEVICES FOR DIAGNOSTIC AND
THERAPEUTIC INTERVENTIONS IN THE PERITONEAL CAVITY

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January 7, 2005

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OFFICE OF PETITIONS

Mail Stop 313 (c)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**Attention: Karen Creasy.
Petitions Branch**

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(2)

Sir:

Petition is hereby made to withdraw the above-identified application from issue, the Issue Fee having been paid on November 18, 2004, for consideration of the attached Information Disclosure Statement. Withdrawal is necessary so that the attached Information Disclosure Statement can be considered in the concurrently filed continuing application (see, attached Request for Continuing Prosecution (RCE) Under Rule 114). The undersigned became aware of the references cited in the attached Information Disclosure Statement on January 6, 2005, after the issue fee was paid.

The Petition Fee set forth in 37 CFR 1.17(h) (\$130) and the RCE filing fee (\$790) are submitted herewith. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment in the fee(s) filed, or asserted to be filed, or

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which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 14-1140.

It is believed that the foregoing constitutes a showing of good and sufficient reasons as to why withdrawal of this application from issue is necessary. Accordingly, it is requested that this Petition be granted. The Office is requested to contact the undersigned, however, if anything further is required for this petition to be granted.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

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